

FINAL RECORD OF THE TWO HUNDRED AND FOURTEENTH PLENARY MEETING
held at the Palais des Nations, Geneva,
on Thursday, 21 April 1983, at 10.30 a.m.

Chairman:

Mr. F. van Dongen

(Netherlands)

PRESENT AT THE TABI

<u>Algeria:</u>	Mr. A. TAFFAR
<u>Argentina:</u>	Mr. J.C. CARASALES Mr. R. GARCIA MORITAN
<u>Australia:</u>	Mr. D. SADLEIR Mr. F. STEELE Mr. T. FINDLAY
<u>Belgium:</u>	Mr. J.-M. NOIRFALISSE Mr. P. BERG Miss HARROY
<u>Brazil:</u>	Mr. C.A. DE SOUZA E SILVA Mr. S. QUEIROZ DUARTE
<u>Bulgaria:</u>	Mr. L. GOTZEV Mr. K. TELLALOV Mr. B. GRINBERG Mr. P. POPTCHEV
<u>Burma:</u>	U MAUNG MAUNG GYI U TIN KYAW HLAING U THAN TUN
<u>Canada:</u>	Mr. G.R. SKINNER Miss C. de VARENNES
<u>China:</u>	Mr. TIAN JIN Mrs. GE YUYUN Mrs. WANG ZIYANG Mr. LIN CHANG
<u>Cuba:</u>	Mr. P. NUNEZ MOSQUERA
<u>Czechoslovakia:</u>	Mrs. M. SLAMOVA Mr. A. CIMA

Egypt:

Mr. I.A. HASSAN
Mr. A.M. ABBAS
Miss W. BASSIM

Ethiopia:

Mr. T. TERREFE

France:

Mr. F. DE LA GORCE
Mr. J. DE BEAUSSE
Mr. M. COUTURE

German Democratic Republic:

Mr. G. HERDER
Mr. H. THIELICKE

Germany, Federal Republic of:

Mr. W. ROHR

Hungary:

Mr. I. KOMIVES
Mr. T. TOTH

India:

Mr. M. DUBEY
Mr. S. SARAN

Indonesia:

Mr. B. DARMOSUTANTO
Mr. N. WISNOEMERTI
Mrs. P. RAMADHAN
Mr. I.H. WIRAATMADJA

Iran:

Italy:

Mr. M. ALESSI
Mr. E. DI GIOVANNI

Japan:

Mr. R. IMAI
Mr. M. KONISHI
Mr. K. TANAKA

Kenya:

Mr. D.D.C. DON NANJIRA

Mexico:

Mr. A. GARCIA ROBLES
Mrs. Z. GONZALEZ Y REYNERO

Mongolia:

Mr. D. ERDEMBILEG
Mr. S.O. ECLD
Mr. O. CHIMIDREGZEN

Morocco:

Mr. A. SKALLI
Mr. M. CHRAIBI
Mr. O. HILALE

Netherlands:

Mr. F. VAN DONGEN
Mr. J. RAMAKER
Mr. R.J. AKKERMAN

Nigeria:

Mr. A.N.C. NWAQZOMUDOH
Mr. J.O. OBOH
Mr. L.O. AKINDELE
Mr. I.E.C. UKEJE

Pakistan:

Mr. T. ALTAF

Peru:

Mr. P. CANNOCK
Mr. V. ROJAS

Poland:

Mr. J. CIALOWICZ
Mr. T. STROJWAS
Mr. G. CZEMPINSKI

Romania:

Mr. T. MELESCANU
Mr. L. TOADER

Sri Lanka:

Mr. A.T. JAYAKODDY
Mr. H.M.G.S. PALIHAKKARA

Sweden:

Mr. C.M. HYLTIENIUS
Mr. H. BERGLUND
Mr. J. LUNDIN
Mrs. I. SUNDBERG
Mr. R. ANGSTRÖM

Union of Soviet Socialist
Republics:

Mr. V.L. ISSRAELIAN
Mr. Y.K. NAZARKIN
Mr. V.F. PRIAKHIN
Mr. G.V. HERDENNIKOV
Mr. G.N. VASHADZE
Mr. V.A. EVDOKOUSHIN

United Kingdom:

Mr. B.P. NOBLE
Mrs. J.I. LINK
Miss J.E.F. WRIGHT

United States of America:

Mr. L. FIELDS
Mr. P. CORDEN
Mr. R.L. HORNE
Ms. K. CRITTENBERGER
Mr. J. DURHAM

Venezuela:

Mr. T. LABRADOR RUBIO

Yugoslavia:

Mr. M. MIHAJLOVIC

Zaire:

Mrs. ESAKI-EKANGA KABEYA

Secretary of the Committee on
Disarmament and Personal
Representative of the
Secretary-General:

Mr. R. JAIPAL

Deputy Secretary of the
Committee on Disarmament:

Mr. V. BERASATEGUI

The CHAIRMAN: I declare open the 214th plenary meeting of the Committee on Disarmament.

At the outset, may I welcome His Excellency the Deputy Minister for Foreign Affairs of Bulgaria, Mr. Lyuben Gotzev, who is listed to address the Committee today as the first speaker. The Deputy Minister for Foreign Affairs is a career diplomat with a vast experience in multilateral diplomacy, and in particular United Nations affairs, and I am sure that the Committee will follow his statement with particular interest.

The Committee continues today its consideration of item 7 of its agenda, "Prevention of an arms race in outer space". As usual, members of the Committee wishing to do so may make statements on any other subject relevant to the work of the Committee.

In connection with item 7, "Prevention of an arms race in outer space", members will recall that the Committee agreed at our last plenary meeting that, after listening to the members listed to speak today, we will suspend the plenary meeting and continue in an informal meeting to examine how best to consider item 7. After an exchange of views on that question, the Committee will resume its plenary meeting in order to give members an opportunity to express views for the record, in the light of the discussion held at the informal meeting.

May I recall that we also agreed that the Contact Group on Principles of the Ad Hoc Working Group on a Comprehensive Programme of Disarmament would meet immediately after the plenary in this conference room. Unfortunately, the Chairman of the Contact Group, Ambassador Grinberg, will not be able to convene the meeting for reasons of health, and consequently the meeting of the Contact Group is cancelled. I am sure that all members join me in wishing Ambassador Grinberg a quick recovery so that he can join us again soon.

I have on my list of speakers for today the representatives of Bulgaria, India, Australia, Egypt and China. It is now the Chair's pleasure to give the floor to the distinguished representative of Bulgaria, His Excellency Mr. Lyuben Gotzev. You have the floor, Sir.

Mr. LYUBEN GOTZEV (Bulgaria): Mr. Chairman, I have the honour of addressing the Committee on Disarmament for the first time. Therefore, allow me at the outset to congratulate you and, through you, all representatives of member States.

The attention and hopes of many Governments and above all of millions of people throughout the world have been turned towards Geneva, not only because it is here that the important Soviet-American negotiations to limit and reduce strategic arms and to limit nuclear weapons in Europe are being held, but also because here is the site of the main multilateral forum for disarmament negotiations which has been entrusted by the international community with so many important tasks. Your work is a highly noble, difficult and responsible one. May I, however, be allowed not to withhold from you our disappointment that for the fifth consecutive year this Committee has been unable to accomplish some progress in the elaboration of international agreements limiting armaments. A great deal of time is still devoted to discussions on procedural and organizational matters, something that is being misused by some delegations so as to divert attention to secondary and less urgent issues. In our opinion, in many cases drafting work is being impeded or delayed by certain Western delegations. The Bulgarian delegation will continue its efforts to overcome such shortcomings so that the Committee's long-standing commitment to the cause of disarmament does yield results.

(Mr. Lyuben Gotzev, Bulgaria)

The People's Republic of Bulgaria attaches particular importance to the activities of the Committee on Disarmament and strives to take an active part in them. You are all familiar with the consistent policies pursued by socialist Bulgaria in favour of peace, understanding and co-operation in the Balkans, in Europe and in the world.

The necessity of exerting efforts to halt the arms race and bring about disarmament is, today, immeasurably greater than ever before, since the forces of confrontation and militarism have succeeded in inflicting major harm on détente, in aggravating the political environment and increasing the danger of war. There can be no other task facing all States, their Governments and political leaders more noble than that of militating against war, so as to arrest the current menacing turn of events and bring them back to the avenue of détente and mutually beneficial co-operation, and to arrive at a solution to the problem of the limitation and reduction of armaments, particularly nuclear armaments.

In a recent speech devoted to foreign policy matters, the first Party and State leader of Bulgaria, Todor Zhivkov, stated, inter alia: "We are endeavouring to ensure and we believe that war can be prevented, that peace can be strengthened. We are deeply convinced that peaceful co-existence is the only sensible alternative to thermonuclear war, that it corresponds to the interests of all States and peoples, of all mankind".

In another speech Mr. Zhivkov said: "Turning the Balkans into a nuclear-weapon-free zone would correspond to the interests of the peoples of the Balkans. This would constitute a tangible contribution in the healing of the international atmosphere, in the gradual transformation of Europe into a continent free from nuclear weapons; this would be yet another victory for the cause of peace".

For the people and Government of Bulgaria, a significant expression of this policy course are the latest proposals and initiatives put forth jointly with the other socialist States at the Prague meeting of the Political Consultative Committee of States members of the Warsaw Treaty Organization.

As is well known, the Foreign Ministers of the Warsaw Treaty member States considered, earlier this month, subsequent steps to carry out these proposals and initiatives, as well as practical measures concerning negotiations with States members of the North Atlantic Treaty Organization and other States, on the fundamental problems related to the preservation of peace, disarmament and security in Europe and in the world. Both documents have been circulated in this Committee. I was informed that they are enjoying their place and share of attention in your discussions and are valued for their merits.

We in Bulgaria have welcomed with satisfaction the announcement that your Committee, although only after lengthy discussions and negotiations, has adopted the proposal of the socialist countries and the countries of the Group of 21 to include on its agenda a question entitled: "Cessation of the nuclear arms race and nuclear disarmament; prevention of nuclear war, including all related matters".

It is our deep conviction that there is no problem more topical in today's world politics, in the everyday thoughts and preoccupations of all citizens of the globe than that of the prevention of nuclear war.

Allow me to dwell in my statement today briefly upon this major issue. I take this opportunity today also because next week, when it is to be dealt in accordance with your programme of work, I shall not be able to be among you.

(Mr. Lyuben Gotzev, Bulgaria)

The singling out of the task of preventing a nuclear war in a clear-cut way is based on the following premises which, we believe, are worth recalling here.

First, nuclear weapons have specific characteristics which set them apart from all other weapons.

As is known, there are people in the West who deliberately minimize the magnitude of the consequences of a possible nuclear war. Those few but influential people calculate the probable number of human losses in a nuclear exchange at several dozen million lives alone. Such so-called "optimistic" calculations are meant, of course, to allay fears and to condition the population in the West to accept nuclear war as a thinkable alternative. The same objectives are pursued by the publicity given to strategic doctrines based on the possibility of waging and winning "limited nuclear wars", "protracted nuclear wars", etc.

We, for our part, share the generally recognized view that unlike any other weapons nuclear arms, taking into account the stocks accumulated so far, have the potential of killing all the people of the world many times over and maybe even of annihilating all life on our planet. By its very nature, nuclear war cannot be limited. Any use of nuclear weapons will inevitably escalate into a full-scale nuclear war whose fatal consequences will affect the whole world.

Secondly, the danger of nuclear war is real, present and increasing alarmingly.

The danger of nuclear war is not new, but in recent years it has been growing at an alarming rate. What makes today's situation different from yesterday's?

During the 1970s, when the policy of détente reached its peak, trends in international relations were positive. A series of bilateral and multilateral agreements were reached in the field of disarmament and other areas, and co-operation among nations was constantly on the increase. In such an atmosphere of trust and confidence, the prospects for eliminating the threat of war and attaining lasting peace were real and promising.

At present, however, one of the leading nuclear-weapon powers is deliberately trying to undo the positive achievements of the past and is pursuing a policy of rearmament and confrontation, of attaining military superiority and a position of strength and domination. With the support of its close allies, the United States has now embarked on a new round in the arms race which will lead to a further accumulation of weapons of mass destruction.

In assessing the reasons for the present state of affairs, one has to pay particular attention also to the imminent emergence of new types and systems of weapons. I understand that last week the Committee took up this problem and a number of statements have referred to how science and technology are subjected to the development of ever more sophisticated weapons. May I just mention the introduction of the MX missile and the development of several other weapons of a new, advanced generation in the United States. This could be interpreted, as is rightly pointed out by many knowledgeable people, including members of the United States Congress, as the adoption of a first-strike nuclear strategy. The unveiling in Washington of plans based on "Star Wars" scenarios has evoked frightening visions of a future world which will be constantly tottering on the brink of nuclear annihilation.

(Mr. Lyuben Gotzev, Bulgaria)

As Europeans, we emphasize also the serious consequences for world peace which will flow from the planned deployment of new American medium-range missiles in some countries members of NATO. A part of these missiles are clearly first-strike weapons and may usher our continent and the world into a period of greatly increased risks of nuclear war.

Thus, it is clear beyond any doubt that the danger of nuclear war is real and present. It is also intolerable. The conclusion to be drawn from this is that everything should be done to eliminate this danger without delay.

The Bulgarian delegation believes that if this Committee is to contribute to the achievement of this objective, it should embark on the consideration of the item on the prevention of nuclear war with maximum concentration, and with no preconditions or linkages with other issues. In an academic exercise the issue of nuclear war can, of course, be considered in a very broad context and there can hardly be a problem of international politics which would not be found to be in some sort of relationship to it. However, the Committee does not have a theoretical but a practical task; and it is a negotiating and not a deliberative body. Therefore, in our opinion, this forum should try to limit itself to the identification and elaboration of such measures alone which have a direct bearing on the elimination of the nuclear threat.

Having said this, I should like at the same time to emphasize that our over-all approach to the question of nuclear war is not a narrow one. Consequently, the socialist countries are firmly against any war, be it nuclear or conventional, and they have come forward with several initiatives for practical measures aimed at the total prohibition of the use of force in international relations, both in the regional context of Europe and on a global scale.

Of particular importance and topicality in this respect is the recent proposal by the Warsaw Treaty member States, addressed to the countries members of NATO, to conclude a treaty on the mutual renunciation of the use of military force and the maintenance of peaceful relations. In the communiqué published after the meeting of the Ministers of Foreign Affairs of the Warsaw Treaty member States held on 6 and 7 April in Prague, it was stated that the problems related to the proposal for a treaty on the renunciation of the use of military force could be considered on a multilateral basis, on a level and in forms that would be acceptable to all. It is to be hoped that the countries concerned will take a constructive approach to this proposal.

In the document submitted by a group of socialist countries, an attempt has been made to outline a possible framework for the Committee's action under the item on the prevention of nuclear war. The principal practical measures suggested in that document include:

(a) the renunciation by all nuclear-weapon States of the first use of nuclear weapons. This has already been done unilaterally by the Soviet Union. The Soviet Union's decision, taken in the current complicated international setting, is yet another reaffirmation of the USSR's peaceful policy course, of the markedly defensive character of its military doctrine. This decision corresponds to the vital

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interests of all nations, which have every right to insist that the other nuclear-weapon powers, too, should follow the example of the Soviet Union and undertake clear-cut obligations not to be the first to use nuclear weapons. This would be an expression of goodwill and readiness for co-operation, of a military policy which is genuinely proceeding from defensive objectives only, and which is taking into account the security of all States. So, if all other nuclear-weapon powers act accordingly, this would in practice amount to the full prohibition of the use of nuclear weapons.

The same effect could be achieved by the conclusion of a convention on the prohibition of the use of nuclear weapons, a measure which enjoys the full support of the socialist States;

(b) a freeze by all nuclear-weapon States on the production and deployment of nuclear weapons and their means of delivery as well as on the production of fissionable material for the purpose of manufacturing various types of nuclear weapons. Such a first step would prepare the ground for the reduction and, eventually, the elimination of all nuclear arsenals;

(c) the declaration by all nuclear-weapon States of a moratorium on all nuclear explosions. This measure would greatly facilitate the conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests, which is of key importance in the efforts to stop the qualitative development of these weapons.

What these measures have in common is above all the fact that they can effectively contribute to the elimination of the threat of a nuclear war. In addition they are ripe for solution, and enjoy undeniably broad international support. What is needed to put them into effect is the political will of the States concerned.

Clearly, there may be other useful steps. We are ready to discuss any other multilateral measures which could contribute to the elimination of the threat of a nuclear war, such as measures for the prevention of the accidental or unauthorized use of nuclear weapons, of surprise attack, etc.

The identification of the whole range of such steps can best be done in an ad hoc working group to be established by the Committee on Disarmament with a view to conducting negotiations for their elaboration.

The Bulgarian delegation is willing to co-operate with all delegations for the speedy establishment of such a body and the immediate starting of its work.

Allow me to conclude by expressing the opinion that with the inclusion on the agenda of the item on the prevention of nuclear war, the Committee on Disarmament has set before itself a new, most responsible and challenging task whose solution will require multiplied efforts on the part of all delegations in the unique art of disarmament negotiations. To solve this task is to fulfil a historic responsibility. I wish you, dear colleagues, every success in your future work.

The CHAIRMAN: The Chair thanks His Excellency the Deputy Minister for Foreign Affairs of Bulgaria, Mr. Lyuben Gotzev, for his contribution and for the kind good wishes addressed to this Committee.

I now call on the next speaker on the list, the distinguished representative of India, Ambassador Dubey. You have the floor, Mr. Ambassador.

Mr. DUBEY (India): Thank you Mr. Chairman, for giving me the floor.

I would begin by welcoming in our midst His Excellency Mr. Gotzev, Deputy Minister for Foreign Affairs of Bulgaria. We have heard his statement with great attention and we will give it the most serious consideration in our work here.

During the second special session of the United Nations General Assembly devoted to disarmament, held in June-July 1983, the delegation of India submitted a draft convention on the prohibition of the use of nuclear weapons for consideration and adoption by the General Assembly. For reasons well known to all, the special session ended in failure, without adopting a single meaningful measure for the prevention of nuclear war and for disarmament. The proposal from India was transmitted to the thirty-seventh regular session of the General Assembly for consideration and necessary action. The proposed draft convention was also circulated among the members of the Committee on 23 July 1982, in document CD/295.

At the thirty-seventh session of the General Assembly, India along with 20 other countries co-sponsored a draft resolution entitled, "Convention on the prohibition of the use of nuclear weapons", which called upon the Committee on Disarmament "to undertake, on a priority basis, negotiations with a view to achieving agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances", taking as a basis the text of the draft convention on the prohibition of the use of nuclear weapons. This resolution (37/100 C) was adopted by 117 votes in favour, 17 against and 8 abstentions. It was supported by two of the five nuclear-weapon States, China and the Soviet Union. It was also supported by Sweden, which in the past had abstained on similar resolutions. Two other countries which had voted against previous resolutions on the subject decided to abstain instead. Thus, support for the idea of prohibiting the use or threat of use of nuclear weapons under any circumstances has been growing steadily each year.

The case for a total prohibition on the use or threat of use of nuclear weapons rests on strong moral and legal grounds. It is morally and ethically abhorrent that a State or group of States should seek to pursue its national security by means which constitute a threat of mass annihilation. Often, it is said that as a result of the nuclear threat, mankind is on the brink of self-extinction. This kind of statement erroneously conveys a sense of inevitability of the nuclear threat and the meek submission of all the nations to this threat. The fact is that it is a handful of nations, armed with nuclear weapons, which threaten the world with mass destruction. The majority of the nations of this world are not perverted participants in some kind of a multilateral suicide pact. They are the involuntary intended victims of a strategy of mass annihilation.

Recently, one distinguished visitor to this Committee justified a proposal put forward by his country in the context of the ongoing bilateral negotiations on medium-range weapons as being based on a moral position. We are glad to note that a major nuclear-weapon power regards morality as a valid consideration in such

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matters. However, in the light of this avowed moral position, it is difficult for us to see how this country or any other nuclear-weapon State could possibly object to a prohibition on the use of nuclear weapons.

The option to use nuclear weapons, which is what the strategy of nuclear deterrence is all about, is often justified in terms of Article 51 of the United Nations Charter which guarantees nations the "inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations". But can the right of self-defence be extended to justify the destruction of the entire planet, the annihilation of the whole of mankind? And in any event, will there be anything left to defend once nuclear war breaks out? It is, therefore, a mockery of the United Nations Charter, a blatant perversion of its high principles, even to suggest that it sanctions the use of nuclear weapons. The Charter of the United Nations was conceived as a blueprint for mankind's survival, not as its death-warrant, as some here would seem to suggest.

If two nations or two groups of nations are at war, the consequences of that war should be confined to the belligerents. If any nation, as a matter of policy, decides not to be involved in a conflict among other States, it has the right to be spared the consequences of such a conflict. No one questions this principle. In fact it is applied almost routinely to matters relating to relations among States in contemporary international life. Why is it that this principle is suspended when we come to deal with nuclear weapons? After all, in the Final Document of the first special session of the General Assembly devoted to disarmament, the entire membership of the United Nations stated collectively and unanimously that a nuclear war would have "devastating consequences for belligerents and non-belligerents alike". Can any nuclear-weapon State or any State allied to it guarantee that the effects of the use of nuclear weapons would be strictly limited to the national or regional boundaries of States possessing nuclear weapons or those protected by their so-called "nuclear umbrella"? A vast number of studies have been conducted in this field, and the unanimous verdict of these studies is that such control over the effects of the use of nuclear weapons is not possible. The excellent comprehensive study on nuclear weapons conducted under the aegis of the United Nations (A/35/392) provides ample proof of this undeniable fact, were such proof needed.

States which oppose a prohibition on the use of nuclear weapons claim their right as sovereign nations to pursue their security interests as they deem fit. We all hold our sovereignty very dear to us. We also know that the sovereignty of one State or group of States is as inviolate and inalienable as that of other States. But in the name of this self-same principle of sovereignty, I would like to ask: who gave a handful of nuclear-weapon States the right to trample on our sovereignty, the sovereignty of the vast majority of nations which are non-nuclear-weapon States? What principle justifies the placing in jeopardy of the vital security interests of our States? No, those who justify the option to use nuclear weapons on the basis of the principle of sovereignty are in fact engaged in its perennial negation.

It is for this reason that in the Declaration adopted by the Seventh Non-aligned Summit Conference in March this year, it was stated that "Nuclear weapons are more than weapons of war. They are instruments of mass annihilation. The Heads of State or Government therefore find it unacceptable that the security of all States and the very survival of mankind should be held hostage to the security interests of a handful of nuclear-weapon States".

It is thus obvious that the use of nuclear weapons would violate the principles of the United Nations Charter. It would also be a crime against humanity. These words are carefully chosen, because they are based on legal provisions relating to

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the laws of war. I am here referring as a basic source to the Hague Conventions of 1907, the fundamental tenet of which is the prohibition of wanton or indiscriminate destruction. The Geneva Conventions of 1949, which updated and reinforced the Hague Conventions, impose obligatory restrictions on all belligerents to ensure the essential requirements for the minimum well-being and sustenance of the civilian population. Reviewing these provisions, the Lawyers' Committee on Nuclear Policy, based in the United States, came to the conclusion that "The use of nuclear weapons of any type would inevitably result in massive violation of both the 1907 and 1949 rules".

It has sometimes been argued that there are no explicit legal instruments specifically forbidding the use of nuclear weapons and hence their use is legitimate. Have we really come to such a deplorable and anarchical stage of human behaviour that we will refrain from acting in a prejudicial and irresponsible manner only if we are legally enjoined upon to do so? Is there not a positive obligation imposed on us by higher morality and the dictates of the survival of the human species which ought to prevent us from engaging in activities whose inevitable outcome is going to be the extinction of the human race? In the third century B.C., an emperor of India, Ashoka, had the following definition of religion engraved on a stone pillar. It reads in Sanskrit: "Dharam dharti sa dharmah", which means, "Religion is that which holds the world together". Is it not, therefore, our sacred duty or religion to take a modest step towards holding the world together by banning the use of nuclear weapons? For those who would not be satisfied with anything less than a legal argument, I can do no better than once again quote from what the Lawyers' Committee has to say in this regard:

"Aware of the continuous evolution of war technology, the 1907 Hague Regulations contain a general yardstick intended exactly for situations where no specific treaty rule exists to prohibit a new type of weapon or tactic. In such cases, the inhabitants and the belligerents remain under the protection and rule of the principle of the laws of nations, as they result from the usages established among civilized peoples, from the laws of humanity, and the dictates of public conscience. In short, this general rule, known as the Martens Clause, makes civilized usages, the demands of humanity and the dictates of public conscience obligatory by themselves -- without the formulation of a treaty specifically prohibiting a new weapon".

To claim legality for the use of nuclear weapons would make utterly meaningless the efforts pursued throughout the entire past century to limit the consequences of armed conflict through the laws of war. Some may still argue, however, that in the era of "total war" in which we live today, even such fundamental rules may have to be disregarded if this improves the chances of victory or at least the avoidance of defeat. This argument, the Lawyers' Committee reminds us, "was urged in another context by some of the Nuremberg defendants, and indignantly rejected by the International Tribunal. The Tribunal's judgement warns that this Nazi conception of total war would destroy the validity of international law altogether". The "total war" that the defenders in the Nuremberg trial were talking about ended in victory for some and defeat for others. But "total war" in the form of a nuclear holocaust will leave no victors and vanquished and will result in the extinction of the entire human race. In the context of such a "total war" which threatens the present and succeeding generations, this legal argument is not only invalid but also utterly irrelevant.

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There is one last argument put forward against the proposed ban on the use of nuclear weapons which should also be disposed of. It has been said that a legal commitment not to use nuclear weapons is not verifiable and hence cannot be enforced. This, I submit, is an absurd argument. There are indeed very few legal commitments which are verifiable. If this argument of only verifiable commitment being enforceable is applied strictly, then most of our treaties, conventions and contractual commitments would have to be declared infructuous and the whole body of international law will be shorn of its substance. I shall cite just one example to bring out the absurdity of this argument. The nuclear-weapon States, which have been resorting to this argument, are also the ones which have loudly trumpeted the solemn assurances that they have given to non-nuclear-weapon States, selectively and conditionally, of course, against the use or threat of use of nuclear weapons. Are these assurances verifiable? Even if these assurances, or the negative security guarantees, are embodied in legal instruments, could they possibly be verified? Where is, then, the question of only verifiable legal commitments being enforceable? In another context, under the terms of the Additional Protocols to the Tlatelolco Treaty, nuclear-weapon States have undertaken legal obligations not to use nuclear weapons against the Latin American Nuclear-Weapon-Free Zone. No provisions have been made to verify such obligations. Does this mean that the nuclear-weapon States do not regard the commitments they have made in the context of this Treaty as valid or enforceable?

Before concluding, I would like to emphasize that the proposal advanced by the non-aligned countries for a convention on the prohibition of the use of nuclear weapons is in no way a substitute for a genuine process of nuclear disarmament. As the Final Document of the first special session of the General Assembly on disarmament acknowledges, the only effective guarantee against the use of nuclear weapons is the total elimination of such weapons. What we seek to achieve through the proposed convention is the reduction of the risk of nuclear war, pending nuclear disarmament. Even this limited goal, you will agree, is critical for human survival.

The Heads of State or Government of the Non-Aligned Movement, at their Seventh Summit Conference, lent their strong support to the proposal for concluding an international convention on the prohibition of the use of nuclear weapons. They "in the name of humanity demanded an immediate prohibition of the use or threat of use of nuclear weapons by all nuclear-weapon States". They called upon the nuclear-weapon States to agree on the proposed international convention on the subject. The draft convention proposed by a number of non-aligned countries is before this Committee, and we hope that the appeal to nuclear-weapon States emanating from New Delhi will not go unheeded and will provide an impetus to the consideration of this subject by this Committee. Two nuclear-weapon States have already responded in a positive manner to this initiative. We await the considered reaction of other nuclear-weapon States.

The CHAIRMAN: The Chair thanks the distinguished representative of India for his contribution and now calls on the next speaker on the list, the distinguished representative of Australia, Ambassador Sadleir.

Mr. SADLEIR (Australia): Mr. Chairman, may I join in welcoming the Deputy Foreign Minister of Bulgaria, His Excellency Mr. Lyuben Gotzev, to the Committee. We have listened to his statement carefully and will study it closely.

Today I address myself to the question of chemical weapons. At the outset I should like to express my delegation's satisfaction that the lengthy and unnecessary complications which prevented a start on work in this important and promising area have been resolved, and that the Ambassador of Canada, Mr. McPhail, has been appointed Chairman of the Ad Hoc Working Group on Chemical Weapons. My delegation congratulates him on his appointment and looks forward to working closely with him at this session.

Ambassador McPhail has promised to speed our work, putting the focus on negotiation. In this he deserves our full support. Frankly, his task is no easy one. In the first place, proceedings have passed beyond the testing but still relatively straightforward phase of identification, to the much harder stage of trading off firmly held positions. Secondly, important procedural brakes are active.

Under the last Chairman, various circumstances, including the General Assembly's special session on disarmament, conspired to give the Committee on Disarmament something of a free run on chemical weapons. We were able to schedule concentrated periods of work, even outside the regular spring and summer sessions. We were able to take advantage of an imaginative idea of Ambassador Sujka for contact groups, convened with maximum informality. My delegation, with many others, went on record in favour of that approach.

Since then, several delegations have legitimately pointed out that to do business only in English, as happened in the contact groups last year, placed them at a disadvantage. Accordingly, they have asked for full interpretation services. As a result, the contact groups are better serviced and better managed, but they have lost something of their informality — in a sense their youth, innocence and dynamism. It is my delegation's strong recommendation that some element of this be restored and that contact group co-ordinators be allowed, as they see fit and as the need arises, occasionally to resort to informal methods of business. There is a further good reason for this, namely, the absolute limit on the number of rooms available in any one week for full secretarial services, and the ferocious competition for them. The competitiveness will only increase. It would be an enormous pity if progress towards a ban on chemical weapons became the price we had to pay. If the secretariat is able to provide additional facilities, notably increased availability of interpretation, this would be a real contribution.

When I last spoke on the question of chemical weapons, on 8 February, the United States delegation was on the point of tabling its detailed views on a chemical weapons convention. We have since studied these with profound interest: there is no doubt that the substantive matter which is to be found in document CD/343 will advance our negotiations. On 22 February, the Ambassador of the Soviet Union announced a new policy of his Government under which it could agree to include a prohibition on the use of chemical weapons in a future treaty. This, too, is a major development, and one which my delegation welcomes as advancing our efforts in the elaboration of an international convention to ban chemical weapons.

(Mr. Sadleir, Australia)

The issue of prohibiting use is the central problem in a cluster of questions bearing on the scope of a future convention. I turn now to some of these questions.

The first point at issue is what chemicals are covered in a chemical weapons ban. Diagrammatically one could represent as a large square all the chemicals in production in the world, and then shade in, say, a quarter of the square to represent the toxic chemicals. Since almost all of these have legitimate civilian or commercial applications one could represent the very small remainder in a darker colour. An even smaller subdivision therein would represent the most acute chemical weapons threat, i.e., the supertoxic lethal chemicals, or nerve agents. Unfortunately, having neatly categorized chemicals in this way, we are unable simply to use the model for prohibition. First, in our smallest, darkest corner -- mainly those chemicals of very high toxicity which have only one purpose, that is, to be used in war, we must section off a fraction for permitted purposes, such as medical or protective research. An oblong in that same corner, not covering all of it and sticking out into the much larger area of permitted toxic chemical production, would represent those chemicals with the methyl-phosphorus bond, most being, recognizably, nerve agents but some having civilian uses. In the larger toxic area would be found chemicals like phosgene with proven effectiveness as weapons but now produced in huge quantities for sound economic reasons. And there would also be other chemicals like herbicides and riot-control agents which may have military applications but which need to be stockpiled for non-hostile purposes.

Since it is not possible to isolate individual chemicals to be prohibited, those who have long negotiated on this issue have evolved the concept of the "general purpose criterion". While agreement on this concept is incomplete, there is broad consensus that the criterion excludes from the prohibition those chemicals produced, possessed or used for non-hostile purposes. The problem with the criterion is that it is a subjective one, as is inherent in the very concept of purpose or intention. It needs to be supplemented by other criteria, including the toxicity criterion, to make manageable and even understandable what purposes are and are not covered by the prohibition. In the view of my delegation, early attention needs to be given to the question, beginning with the very definition of the terms "chemical weapon" and "non-hostile purposes". Criteria or lists could be drawn up as part of this exercise, initially to simplify the negotiating task; perhaps eventually such criteria or lists might be integrated in some way into the treaty itself. Delegations will be familiar with the "understandings" associated with the Environmental Modification Treaty, negotiated in the Conference of the Committee on Disarmament. Although not incorporated in ENMOD itself, they do provide a frame of reference. We need something similar here.

The general purpose criterion encapsulates the real objective of the proposed convention: to ban the use of chemicals as weapons. The chemicals themselves are not weapons: as I have stated, in almost every case they have legitimate economic purposes. The effort put in to transferring chemicals from one purpose to another -- "weaponizing" them, if you like -- might to some extent be checked by a prohibition on the manufacture, stockpiling, etc. of chemical weapons. But the use of chemicals as weapons can, in the last resort, only be checked by a ban on use itself; this is logical. Until chemicals are actually used, they may be, or seem to be, or be held to be chemicals manufactured or stockpiled for permitted purposes.

(Mr. Sadleir, Australia)

The arguments for not following this logic and for rejecting the concept of a prohibition on use really boil down to one: there is already in place a prohibition on the use of chemical weapons in the 1925 Geneva Protocol. Other arguments flow from this — that ambiguities could arise in relation to the Protocol, or the Biological Weapons Convention which derived from it. Delegations might wish to refer to two comprehensive statements in this regard, one by the head of the Polish delegation in 1981 (CD/PV.138) and the other by Ambassador Onkelinx of Belgium last month (CD/PV.206).

I do not intend now to attempt a detailed counter-argument, particularly as I addressed the matter last year (CD/PV.168). It might help delegations, however, if I simply tabulate some of the major points made in support of including a prohibition on use in a future convention. These derive from statements by the Ambassadors of Argentina (CD/PV.167), China (CD/PV.118), Indonesia (CD/PV.169 and 180) and Pakistan (CD/PV.171). Since our five delegations have in recent years worked together on this issue, I trust they will excuse my borrowing from them in this way. The points that I might tabulate are the following:

1. A new convention containing a distinct ban on use would be truly comprehensive;
2. The 1925 Geneva Protocol, rather than being weakened in this regard, can be strengthened;
3. Treaties build on each other: there are numerous precedents;
4. The 1925 Protocol logically should have ended the use of chemical weapons, but unfortunately it did not — indeed the potential for the use of chemical weapons exists under the Protocol;
5. The Protocol did not anticipate that the concept of "war" would evolve into the larger concept of armed conflict;
6. The Protocol allows for ambiguity on the chemicals to be covered;
7. The protocol is limited (by reservation and interpretation) to no first use, and to States that are parties to it;
8. The logic of future verification mechanisms (verification is not itself provided for under the Protocol) is that use should be included in a future ban.

I have mentioned logic more than once, for example, in the additional argument that the general purpose criterion should lead to including a ban on use. The logic of the concept that the future convention should base itself on purpose rather than capability should lead to the inclusion of a ban on use: it is use which transforms purpose from something subjective and debatable to objective reality. On the other hand, there are arguments, good ones, that chemical weapons capability itself should also be restricted by the future convention and here, too, logic leads to including a ban on use. Without a restraint on chemical weapons capability, the convention might actually add to the risk that States could develop a threatening chemical posture, within the law. The threat of use will be much more apparent than the threat of manufacture, stockpiling, transfer and so on.

(Mr. Sadleir, Australia)

Of all the arguments, verification is the main one. Let me assure those delegations which have expressed the fear lest the verification cart be put before the convention horse that the correct order is being observed. The chemical weapons area is a good example of the proposition that disarmament and arms limitation conventions aim to increase security, and that verification contributes to this as a consequence. States give up partially and/or temporarily some of their national security when they adhere to a convention so that they might benefit from a general consequential improvement in security. The reassurance that the process is worth it comes largely through the methods available to them of verifying that all States are complying. In the sphere of chemical weapons, there will have to be an extended and delicate period during which States reduce their chemical weapons profile, actual or potential. There will be asymmetries and uncertainties. There will be a need to ensure — in stages or phases — that complex obligations are being honoured. How this verification is achieved will require continuous regulation in the course of negotiating the convention, but it will of course be subordinated to the objectives of the convention itself.

There has been a wide measure of agreement that the future convention must provide a means to verify that chemical weapons have not been used. The basis of this agreement is that the 1925 Protocol's prohibition on use has no verification mechanism. It might be possible to verify something under one convention which is prohibited in another but, to put it mildly, that would be untidy. My delegation argues a simple proposition: let the future convention ban the possibility of the use of chemicals as weapons, and let it provide a verification mechanism to ensure compliance with this ban.

I said earlier that we were moving into negotiations proper. This is a stage which calls for flexibility. The Soviet delegation has indicated the maximum flexibility on this key question. The United States delegation earlier, in its detailed views submitted as document CD/343, also demonstrated an adjustment of its position on the issue of explicitly prohibiting the use of chemical weapons. The French delegation, too, has recently considered ways in which its own concerns, as well as the concerns of those seeking a ban on use, might be met by some formula which affirmed the enduring validity of the 1925 Geneva Protocol. My delegation is ready to negotiate on this issue. We sense that the basis for consensus is there: one which protects the undeniable and lasting achievement of the Protocol and yet one which will of itself effectively ensure against the use of chemical weapons.

Concretely, my delegation proposes that in our new negotiating phase we do not, as in the past, exclude "use" from our terms of reference. On the contrary, we should build it in, by brackets, unwritten agreement or any other device. As we proceed, we should ask ourselves: what would inclusion of a specific reference to use involve? What would be the legal and other implications? What verification procedures would be affected? I do not discount the possibility that as a Committee we shall eventually conclude that a specific reference to use is not necessary in the prohibition itself. But such a conclusion should only come after we have convinced ourselves — and have a consensus to this effect — that our future convention will rule out the use of chemicals as weapons.

The CHAIRMAN: The Chair thanks Ambassador Sadleir for his contribution and has taken due note in particular of his remark on the services of the secretariat. Ambassador Sadleir has put his finger on what, indeed, does seem to be a problem of some considerable importance, and we will take this up with the secretariat.

I now call on the next speaker on our list, the distinguished representative of Egypt, Mr. Ibrahim Hassan. You have the floor, Sir.

Mr. HASSAN (Egypt) (translated from Arabic): Mr. Chairman, this is the first time the delegation of my country is taking the floor at a plenary meeting during this month. For this reason, allow me first of all to express our pleasure at seeing you presiding over the activities of our Committee during this month of April. Although I was among the last delegates to offer you congratulations, I may be among the first to convey to you our admiration and appreciation of the constructive efforts you are exerting and the wise way in which you are conducting the work of our Committee.

I should like also, on this occasion, to express to Ambassador Ali Skalli of the brother country of Morocco our great gratitude and our appreciation of the high ability and great wisdom which characterized the performance of his duties when he was Chairman of this Committee last March. The success of Ambassador Ali Skalli in overcoming, with the Committee, all the difficulties that have obstructed its way, is new evidence — if any were needed — of his wide experience and his many capabilities, while being at the same time a source of pride to all of us and especially to my delegation.

I should like also to take this opportunity to associate myself with those who have preceded me in welcoming Mr. Gotzev, the Deputy Minister for Foreign Affairs of Bulgaria, to whose statement before this Committee today we listened with great interest.

I shall deal in my statement today with item 7 of the agenda, "Prevention of an arms race in outer space".

When man succeeded, more than a quarter of a century ago, in conquering outer space for the first time, the whole world welcomed this important event which asserted the creative power of man and his ability to open up new horizons for exploration, development and construction, thus ensuring prosperity and well-being for the whole world. Since that remote date, Egypt has been among the States that have drawn attention to the importance of action for reaching international agreements on establishing the proper international legislation so as to ensure the use of this new breakthrough for the benefit and well-being of man and for peaceful purposes along and to exclude outer space from the sphere of rivalry and competition among the major powers and of military uses and the arms race.

When the leaders of the non-aligned countries convened at their first summit meeting in Belgrade in September 1961, they issued their final statement which included in its paragraph 17 the following: "The participating countries call upon all States in general, and States at present exploring outer space in particular, to undertake to use outer space exclusively for peaceful purposes". Since that time, the efforts exerted have succeeded in achieving positive steps on this path, and it has in fact been possible to conclude a number of agreements dealing with some aspects pertinent to outer space, the most important of these

(Mr. Hassan, Egypt)

being the 1963 Treaty on the partial banning of nuclear-weapon tests and the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

In spite of the importance of these agreements and other measures that dealt with the subject of outer space, they remained, on the whole, insufficient to establish an integrated international legal system providing a real guarantee against the use of outer space for military purposes and excluding it from the arms race. This has given the world the opportunity to witness, in the last few years consecutive attempts to militarize outer space, and the involvement of the States possessing the greatest technological potentials in a race for the creation and development of space equipment with a view to achieving military and strategic goals which would give them supremacy in the field of the arms race between them.

The Final Document of the first special session of the United Nations General Assembly devoted to disarmament drew attention to these gaps when it said, in its paragraph 80, that "In order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies".

There is no doubt that the risks of the permanent threat of seeing the arms race spread to outer space do not apply solely to the Superpowers, which possess the greatest technological potential in this field, but in fact represent a serious threat also to the security of the whole world. Perhaps the risks to which the States of the third world are exposed surpass those which threaten the developed countries, because the latter possess the requisite means of defence and protection, while the developing countries lack the potentials and technological means to ensure their security and to protect their people.

For this reason, while recognizing the special responsibility falling in this field on the Superpowers, we insist on the fact that the task of negotiating the halting of the arms race in outer space should remain in a collective multilateral framework.

Before the subject was raised in the Committee on Disarmament, there were attempts to bring the issue of the peaceful uses of space and preserving it from the arms race before the Committee on the Peaceful Uses of Outer Space. However, some objected to this, arguing that the subject is beyond the terms of reference of that Committee and is fully within the competence of the Committee on Disarmament.

Hence, all hopes were placed on the Committee on Disarmament as the sole multilateral disarmament negotiating forum. Then there were the resolutions of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, convened in Vienna in August of last year, which were adopted by consensus and which emphasized this role while calling upon the Committee on Disarmament to undertake the proper steps to prevent an arms race in outer space, clearly indicating the need for the participation of all nations, and especially those possessing the greatest space potential, in contributing actively to the achievement of this goal.

(Mr. Hassan, Egypt)

The Committee's session last year was an opportunity for a broad exchange of views on the importance of action to prevent the extension of the arms race to outer space, and it was obvious that interest was given to the risks issuing therefrom and the increasing threats to international peace and security it represented.

The United Nations General Assembly also, in its resolution 37/83, which was supported by 138 States and sponsored by my delegation with a number of non-aligned and socialist countries, including 21 States members of this Committee, requested the Committee on Disarmament "to establish an ad hoc working group on the subject at the beginning of its session in 1983, with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in all its aspects in outer space".

During the Committee's session last year, the Group of 21 called for the setting up of a working group which would deal with item 7 of the agenda, and it submitted document CD/329 containing a draft mandate for such a group. The Group of 21, in its suggestion, called for the adoption of a comprehensive approach in dealing with the subject, so that it could be examined in its various aspects with the necessary flexibility and allowing the negotiation of an agreement or agreements, as appropriate, in order to prevent an arms race in outer space.

Those who at that time opposed the setting up of a working group argued the new character of the subject and its complexity, with its intricate technical aspects, and called instead for it to be dealt with at informal meetings and sessions called "instructive", with a view to exchanging views and information about it. We nevertheless cannot but disagree with this opinion, for the following reasons.

Informal meetings of the Committee cannot be a substitute for a working framework for the carrying out of its basic task which is that of negotiating agreements on disarmament. The working group has proved to be the best framework to achieve this goal.

Most—if not all — of the subjects with which the Committee is concerned are by essence complex subjects where technical aspects interfere with political considerations; but this fact has not prevented us, in the past, from attempting to make progress in these subjects and try to reach agreements about them, and we must not be prevented from doing that now or in the future.

While we are living in a period when man is becoming increasingly anxious as a result of the dreadful armaments on land, in the air and at sea, and when efforts to stop and curb this race are faltering, we are requested today to undertake steps to ensure the prevention of the extension of this danger to new horizons, which threatens the future and the security of mankind.

Our race against time calls upon us to speed up the pace of our action and step forward to assume our responsibilities — today rather than tomorrow, without hesitation or delay.

The CHAIRMAN: The Chair thanks the distinguished representative of Egypt for his contribution and for his warm and generous words addressed to the Chair and to the distinguished Chairman for the month of March, Ambassador Ali Skalli.

May I now call on the last speaker on the list, the distinguished representative of China, Mr. Tian Jin. You have the floor, Sir.

Mr. TIAN JIN (China) (translated from Chinese): Mr. Chairman, since this is the first time for the Chinese delegation to make a formal statement at a plenary meeting in the month of April, please allow me to congratulate you on your assumption of the chairmanship for the current month. We are confident that with your vast experience and under your able guidance, we shall be able to achieve further progress in our work for the month. We would also like to thank Ambassador Skalli, the Chairman for last month, for his contributions. His diplomatic skills have left a strong impression upon us.

At the meeting this morning the distinguished Ambassador Sadleir of Australia made a comprehensive and convincing statement on the reasons why prohibition of use should be included in the future chemical weapons convention. The Chinese delegation supports his statement. It is our hope that the Committee on Disarmament will arrive at an early agreement on the important subject of the scope of the future convention, so as to speed up the pace of negotiation and elaboration of the convention. It is in this spirit that the Chinese delegation has tabled a working paper today concerning the scope of prohibition, namely, the question of the prohibition regime of the convention. We hope this paper will soon be distributed in different languages.

Now, I wish to make a few comments on this subject.

Over the last few years, there have been fairly deep differences of opinion between countries on the question of whether or not the scope of the future convention should contain a prohibition of the use of chemical weapons. The Chinese delegation is pleased to note that quite a number of delegations have come to accept the idea of including such a prohibition. However, there are still some delegations which express varying degrees of reservation and doubt on the subject. One of the questions they have raised is, if such a prohibition is included in the future convention, what will its relationship be with the prohibition regime of the 1925 Geneva Protocol? My delegation believes a solution to this question can be found.

First, in statements in the plenary and again in the contact group, quite a number of delegations have pointed out that the prohibition regime of the 1925 Geneva Protocol should be in line with that of the future convention. We associate ourselves with this view. Should there be any difference between the two, problems would arise which would be similar to those we encountered during negotiations when the prohibition of use was not supposedly to be included in the scope of the convention. For instance, it would be necessary to differentiate which areas come under the prohibition regime of the Protocol and which would

(Mr. Tian Jin, China)

come under the regime of the future convention; then it would be necessary to solve the problem of verification of compliance with the Geneva Protocol prohibition regime. As everyone knows, such matters involve many complicated issues, making their solution rather difficult. However, all the above difficulties could be resolved, if a prohibition of use of chemical weapons were to be included in the future convention, and it could be brought in line with that of the Protocol, because on the common ground of the two regimes, any failure of compliance with one regime would simultaneously be a failure of compliance with the other. And this failure of compliance could be dealt with according to the verification or other possible relevant provisions of the future convention.

Secondly, how to bring these two prohibition regimes in line with each other? It is our view that this can be done on the common basis that both regimes prohibit the direct and indirect use of the toxic physiological effects of chemical substances for fighting purposes. (Here we do not refer to biological warfare, because it is outside the scope of our present debate.)

Such a basis not only conforms to the obligations provided for in the Geneva Protocol, but is also in full accord with the "general purpose criterion" of the future convention. At the same time it can suitably resolve the differences of opinion on herbicides and irritants, that is, it prohibits their use for fighting purposes while permitting their use for purposes of peace and law enforcement. And it naturally follows that research, development, production, transfer, acquisition by other means and stockpiling which are in conformity with these two purposes are also legal.

Thirdly, as we have previously pointed out, the best way to unify the two regimes is to use the concept of "chemical warfare agents" in the definition of chemical weapons to be included in the convention, and also to include its definition in the convention. This concept of "chemical warfare agents" embodies the fundamental characteristics of chemical weapons and also reflects the content of the "general purpose criterion". As such it can aptly become the basis for unifying the two prohibition regimes mentioned above. In our view, the term "chemical warfare agents" sums up in the most precise and appropriate term the whole concept of the prohibition contained in the Geneva Protocol (of course, this does not refer to biological warfare either). And what lies at the centre of the prohibition by the future convention is exactly "chemical warfare agents", whether they be super-toxic lethal, lethal, other harmful substances or any other kind of substance, as long as they are used for fighting purposes.

Consequently, the concept of "chemical warfare agents" in itself contains the basis for unifying the prohibition regimes of the two international instruments.

The Chinese delegation has always advocated using the concept of "chemical warfare agents" in the future convention. In the course of the previous negotiations, many other delegations have also submitted working papers on the definition of this term. At this stage, when we are attempting to examine and settle the question of the relationship between the two regimes, the adoption of this concept becomes even more necessary. It is our belief that by straightening

(Mr. Tian Jin, China)

out the relationship between these two regimes, we will be in a better position to achieve an agreement on the question of the scope of the future convention. The Chinese delegation stands ready to exchange views with all other delegations on this issue.

The CHAIRMAN: The Chair thanks the distinguished representative of China for his contribution and for the kind words addressed to the outgoing and incoming chairmen.

This concludes the list of speakers for today. Does any other representative wish to take the floor? If such is not the case, I now intend to suspend the plenary meeting and convene an informal meeting of the Committee in five minutes' time to examine how best to consider item 7 of the agenda.

The meeting was suspended at 12.20 p.m. and resumed at 5.05 p.m.

The CHAIRMAN: The 214th plenary meeting of the Committee on Disarmament is reconvened.

Is there any delegation that wishes to take the floor? This does not seem to be the case. Therefore, in pursuance of consultations undertaken, the Chair would announce that it is pursuing further consultations on the question of the handling of item 7 of the agenda with a view to arriving, at an early stage during the summer part of the session, at a formal decision to be taken by this Committee on how item 7 of the agenda is to be further handled, including a possible decision on the formation of a working group and the definition of its mandate.

We then come to the final point, which is the informal paper on the timetable of meetings to be held by the Committee on Disarmament and its subsidiary bodies during the week 25-29 April 1983. The secretariat has circulated this informal paper and as usual it is a tentative timetable which may be subject to changes if needed. In that connection may I note that demands for meetings have been so high for the next week that the secretariat has been able to secure this programme only on a tentative basis. I may recall that the Trade and Development Board, the Economic Commission for Europe and other bodies are meeting at the same time, and that our own requirements need to be harmonized with requests by those bodies. If there is no objection, I will consider that the Committee adopts this tentative timetable.

Mr. DON NANJIRA (Kenya): Mr. Chairman, this is not an objection but a question for clarification. On Friday, 29 April, when, presumably, the Committee will be closing its spring session, I see that there will be a meeting of the Ad Hoc Working Group on A Nuclear Test Ban, at 3 p.m. There is nothing indicated, even tentatively, about a provision for closing the session on that day. Does this mean, therefore, that in the event of the Working Group on A Nuclear Test Ban ending at 8 p.m., or even 11 p.m., on 29 April that we would anticipate meeting on 30 April formally to conclude the session? I just wanted to find out as this is important, Sir, for certain delegations, including mine, and I would appreciate some explanation as to how we are to interpret this.

The CHAIRMAN: May the Chair reply to the distinguished representative of Kenya that we are not closing the session; we are entering into the recess between the spring part of the session and the summer part of the session, but it is still the 1983 session, and therefore no formal closing is required.

Mr. DON NANJIRA (Kenya): Thank you Mr. Chairman. I agree with that, but I presume that the Chairman will make some final remarks, at least to formally go into recess. That is the practice, is it not? We would expect that, Sir.

The CHAIRMAN: That would indeed be a correct expectation by the distinguished delegate of Kenya — and any such remarks would be made at the close of the last formal plenary meeting, on Thursday next.

Mr. SKINNER (Canada): Mr. Chairman, I just wanted to make a brief observation about the programme for next week. The first thing I would like to do is express my gratitude to the secretariat for squaring a virtually impossible circle. I recognize how difficult this has been for them because of the conflicting demands upon their time and resources, particularly the interpreters, as well as the question of rooms, and so on. I am particularly sensitive about this question myself because I am afraid our delegation is one of the main instigators of the difficulties the secretariat has had. That is, of these meetings, you will notice that a good part of them are associated with the work of the Working Group on Chemical Weapons. I think we all agree in this room that these meetings are indeed necessary, despite the difficulties they are causing not only to the secretariat but to each one of our delegations. You will notice, I think, that each contact group of the chemical weapons Working Group is now scheduled to meet twice before the winding up of business on Wednesday. This, I think, is an achievement on the part of the secretariat. There is, however, one exception, and that is Group B of Mr. Duarte. As you said yourself, Mr. Chairman, this schedule is a notional schedule and we will discuss with the secretariat whether it is indeed possible to have a second meeting of Group B. If this is the case, we would try to inform members of the Committee through the secretariat, in due course.

The CHAIRMAN: I thank the distinguished representative of Canada. Are there any other speakers? If that is not the case then it remains for the Chair to announce that the next plenary meeting of the Committee will be held on Tuesday, 26 April at 10.30 a.m. Ambassador Erdembileg, you have the floor.

Mr. ERDEMBILEG (Mongolia) (translated from Russian): I apologise for interrupting you, Mr. Chairman. Basically I agree with what the distinguished representative of Kenya said, and I should like simply to develop his thought. I entirely agree with you that we are not closing the current session but merely suspending it for a time. Nevertheless it might perhaps be more logical if we were in fact to end the first part of the Committee's session with a plenary meeting, so as not to give the impression that after the plenary Committee has declared a recess, some working groups seem to be going on working.

(Mr. Erdembileg, Mongolia)

We could perhaps, therefore, transfer the meeting of the Ad Hoc Working Group on a Nuclear Test Ban planned for Friday at 3 p.m. to Thursday, 28 April, at 10.30 a.m. so that we can hold the final plenary meeting on Friday afternoon. We would then be concluding the first part of this session in an orderly manner.

If other members of the Committee object, we shall of course not insist on our proposal. But the main thing I wanted to draw attention to is that we ought to avoid a situation where, in spite of the declaration of the interruption of the session, the activity of the ad hoc working groups, that is to say, the work of the session, is nevertheless continuing. From the organizational point of view that would seem to us illogical.

The CHAIRMAN: The Chair thanks Ambassador Erdembileg for his statement and may perhaps be permitted to react to it, off the cuff.

I may recall what I said when this tentative work programme was introduced — that it was very much tentative and, the demand of meetings being enormous, largely because the Committee lost a considerable amount of time in the earlier part of the spring session, an effort has been made, a very laudable effort, by all working groups to achieve as much work as possible on substance in the remainder of the month of April. I do see a slight problem — and can sympathize with the wish of certain delegates to end, as I believe the expression was, "with a flourish", and with a plenary meeting, but I take the liberty of reminding the distinguished representative of Mongolia that many, in fact the majority of the members of the Committee on Disarmament have a large number of other obligations and a very pressing time-table — particularly true for the month of April — when many important meetings take place simultaneously. I would rather fear that many of the members of the Committee would find it difficult to readjust their conference schedules at fairly short notice, to such an extent that we could change the customary day of the plenary meeting from Thursday to Friday. Nevertheless, the Chair is quite prepared to consult members on this and to explore the possibilities, but it must in all fairness warn that it may prove to be very difficult and that in fact the perhaps less than elegant ending of the spring session is one of the unfortunate results of the fact that during earlier months we lost a great deal of time over procedure. This is perhaps a relatively modest price we have to pay for that. If there are no other speakers the meeting stands adjourned.

The meeting rose at 5.20 p.m.